EXHIBIT B

1517 1518 1519 1518 1520
2 3 TERRI PECHNER-JAMES 4 AND SONIA FERNANDEZ 5 Plaintiffs, Volume viii 6 VS. C.A. NO. 03-12499-MLW 7 FURTHER EXAMINATION BY MR. PORR 1520 7 FURTHER EXAMINATION BY MR. P
TERRI PECHNER-JAMES and SONIA FERNANDEZ, Plaintiffs, VOLUME VIII VS. C.A. NO. 03-12499-MLW CITY OF REVERE: THOMAS AMBROSINO, MAYOR: CITY OF REVERE POLICE DEPARTMENT, TERRENCE REARDON, CHIEF; BERNARD FOSTER, SALVATORE SERNARD FOSTER, SALVATORE SERNARD FOSTER, SALVATORE 10 SANTORO, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, 11 JOHN MESON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD. Defendants. 12 EXHIBITS FREDERICK ROLAND, THOMAS DOHERTY, 13 ANSWERS TO INTERROGATORIES 1531 CONTINUED DEPOSITION OF SONIA FERNANDEZ taken 16 at the request of the defendants pursuant to 17 Rule 30 of the Federal Rules of Civil Procedure 18 before Dawn J. Cormier Bourn, a notary public in 19 and for the Commonwealth of Massachusetts, on 20 June 21, 2006, commencing at 9:17 a.m. at the 21 Revere City Hall, 281 Broadway, Revere. 22 Massachusetts. 18 AP PE A R A N C E S: 19 SONIA FERNANDEZ, SWORN. 21 SONIA FERNANDEZ, SWORN. 22 SANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1599 17 48 SEPTEMBER 11, 1998 NOTE 1599 18 before Dawn J. Cormier Bourn, a notary public in 20 and for the Commonwealth of Massachusetts, on 21 June 21, 2006, commencing at 9:17 a.m. at the 22 Revere City Hall, 281 Broadway, Revere. 23 AMBROSINO, MAYOR: CITY OF 24 SETTEMBER 22, 1998 NOTE 1599 25 OCTOBER 2, 1998 NOTE 1599 26 SONIA FERNANDEZ, PREVIOUSLY SWORN. 27 SONIA FERNANDEZ, PREVIOUSLY SWORN. 28 ABBOSINO, MAYOR: CITY OF 29 OCTOBER 2, 1998 NOTE 1500 1518 1520 1520 1530 154 SONIA FERNANDEZ, PREVIOUSLY SWORN. 29 SONIA FERNANDEZ, PREVIOUSLY SWORN. 20 JUNE 15 MROW We're 15 minutes
TERRI PECHRER-JAMES 4 and SONIA FERNANDEZ, 5 Plaintiffs, VOLUME VIII 6 VS. C.A. NO. 03-12499-MLW 7 CITY OF REVERE: THOMAS 8 AMBROSINO, MAYOR: CITY OF REVERE POLICE DEPARTMENT, 9 TERRENCE REARDON, CHIEF: BERNARD FOSTER, SALVATORE 10 SANTORO, ROY COLANINO, FREDERICK ROLANINO, FREDERICK R
4 and SONIA FERNANDEZ, 5 Plaintiffs, 6 VS. C.A. NO. 03-12499-NLW 7 CITY OF REVERE; THOMAS 8 AMBROSINO, MAYOR; CITY OF REVERE POLICE DEPARTMENT, 10 TERRENCE REARDON, CHIEF; BERNARD FORTER, SALVATORE 10 SANTORO, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, 11 JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD. 12 Defendants. 13 CONTINUED DEPOSITION Of SONIA FERNANDEZ taken at the request of the defendants pursuant to form the request of the defendants pursuant to labeled before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere. 22 Massachusetts. 23 FOR THE PLAINTIFF: 24 SONIA FERNANDEZ 5 DEPONENT: SONIA FERNANDEZ 6 FOR THE PLAINTIFF: 5 DAWNE H. THORNE, ESQ. 4 SEPTEMBER EXAMINATION BY MR. PORR 1520 7 FURTHER EXAMINATION BY MR. PORR 1520
FURTHERIS, VOLUME VIII VS. C.A. NO. 03-12499-MLW TOUR REVERE: THOMAS AMBROSINO, MAYOR: CITY OF REVERE POLICE DEPARTMENT, 1ERRENCE REARDON, CHIEF: BERNARD FOSTER, SALVATORE 11 DIANN RELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD. Defendants. TOUR DEPOSITION OF SONIA FERNANDEZ taken at the request of the defendants pursuant to 17 Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cornier Bourn, a notary public in 19 and for the Commonwealth of Massachusetts, on 20 June 21, 2006, commencing at 9:17 a.m. at the 12 Revere City Hall, 281 Broadway, Revere. APPEAR ANCES: TORINGE OF THE PLAINTIFF: DAWNE H. THORNE, ESQ. PAGE 7 FURTHER EXAMINATION BY MR. PORR 1520 8 7 FURTHER EXAMINATION BY MR. PORR 1520 8 7 FURTHER EXAMINATION BY MR. PORR 1520 8 7 FURTHER EXAMINATION BY MR. PORR 1520 EXHIBITS FURTHER EXAMINATION BY MR. PORR 1520 8 9 FURTHER EXAMINATION BY MR. PORR 1520 10 2 EXHIBITS 11 EXAMINATION BY MR. PORR 1520 11 EXHIBITS 12 EXHIBITS 13 ANSWERS TO INTERROGATORIES 1531 14 45 ANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1597 17 48 SEPTEMBER 22, 1998 NOTE 1597 18 49 SEPTEMBER 22, 1998 NOTE 1599 OCTOBER 2, 1998 NOTE 1599 OCTOBER 2, 1998 NOTE 1599 OCTOBER 2, 1998 NOTE 1599 APPEAR ANCES: 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 1 APPEAR ANCES: 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 1 SONIA FERNANDEZ, PREVIOUSLY SWORN.
VOLUME VIII C.A. NO. 03-12499-MLW 7 CITY OF REVERE: THOMAS 8 AMBROSINO, MAYOR: CITY OF REVERE POLICE DEPARTMENT. 9 TERRENCE REARDON, CHIEF: BERNARD FOSTER, SALVATORE 10 SANTORO, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, 11 JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD, 12 Defendants. 13 CONTINUED DEPOSITION OF SONIA FERNANDEZ taken at the request of the defendants pursuant to Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cornier Bourn, a notary public in 19 and for the Commonwealth of Massachusetts, on 2 June 21, 2006, commencing at 9:17 a.m. at the 22 Revere City Hall, 281 Broadway, Revere. 22 23 24 1 APPEARANCES: 150 APPEARANCES: 1518 6 FOR THE PLAINTIFF: 7 FURTHER EXAMINATION BY MR. PORR 1520 8 PHICHAEL MURPHY AND STEVEN FORD 1520 10 SANTORO, MAYOR: CITY OF 1520 11 BRANDWRITTEN NOTES 1531 12 EXHIBITS 12 EXHIBITS 14 45 ANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1597 17 48 SEPTEMBER 11, 1998 NOTE 1597 18 49 SEPTEMBER 22, 1998 NOTE 1599 19 50 OCTOBER 2, 1998 NOTE 1599 20 OCTOBER 2, 1998 NOTE 1599 21 SONIA FERNANDEZ, PREVIOUSLY SWORN. 22 SONIA FERNANDEZ, PREVIOUSLY SWORN. 23 24 1 APPEARANCES: 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 2 SONIA FERNANDEZ, PREVIOUSLY SWORN. 2 SONIA FERNANDEZ, PREVIOUSLY SWORN. 3 MS. THORPE: I know we're 15 minutes
7 CITY OF REVERE: THOMAS 8 AMBROSINO, MAYOR: CITY OF REVERE POLICE DEPARTMENT, TERRENCE REARDON, CHIEF: BERNARD FOSTER, SALVATORE 10 SANTORO, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, 11 JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD. 12 Defendants. 13 CONTINUED DEPOSITION of SONIA FERNANDEZ taken at the request of the defendants pursuant to Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts on 20 June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. 2 POR THE PLAINTIFF: DAWNE H. THORNE, ESQ. 7 FURTHER EXAMINATION BY MR. PORR 1520 8 8 9 9 10 11 EXAMBROSINO, MAYOR: CITY OF REVERE: ANDREA SHAPPORT 10 PAGE 11 EXHIBITS 12 EXHIBITS 12 EXHIBITS 14 45 ANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1597 18 49 SEPTEMBER 22, 1998 NOTE 1597 19 50 OCTOBER 2, 1998 NOTE 1599 20 21 21 EXAMBROSINO, MAYOR: CITY OF REVERENCE SHAPPORT S
CITY OF REVERE: THOMAS AMBROSINO, MAYOR: CITY OF REVERE POLICE DEPARTMENT. TERRENCE REARDON, CHIEF: BERNARD FOSTER, SALVATORE SANTORO, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD. Defendants. CONTINUED DEPOSITION of SONIA FERNANDEZ taken at the request of the defendants pursuant to real and the request of the defendants pursuant to real and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. APPEARANCES: APPEARANCES: ASONIA FERNANDEZ, PREVIOUSLY SWORN. TORREDERICK ROLAND, THOMAS DOHERTY, 11
8 AMBROSINO, MAYOR: CITY OF REVERE POLICE DEPARTMENT, 1 TERRENCE REARDON. CHIEF: BERNARD FOSTER, SALVATORE 10 SANTORO, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, 11 JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD, 12 Defendants. 13 ANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1585 18 49 SEPTEMBER 12, 1998 NOTE 1585 18 49 SEPTEMBER 22, 1998 NOTE 1597 18 the request of the defendants pursuant to Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere. 20 Amssachusetts. 21 APPEARANCES: 22 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 22 2 3 4 5
REVERE POLICE DEPARTHENT, TERRENCE REARDON, CHIEF: BERNARD FOSTER, SALVATORE SANTORO, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD, TO Defendants. 10 11 12 12 EXHIBITS 11 13 PAGE MICHAEL MURPHY, and STEVEN FORD, 12 Defendants. 13 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1585 18 49 SEPTEMBER 22, 1998 NOTE 1597 19 50 OCTOBER 2, 1998 NOTE 1599 10 OCTOBER 2, 1998 NOTE 1599 11 APPEARANCES: 11 SONIA FERNANDEZ, PREVIOUSLY SWORN. 12 SONIA FERNANDEZ, PREVIOUSLY SWORN. 13 ASSERTED INTERROGATORIES 1531 14 45 ANSWERS TO INTERROGATORIES 1531 16 47 JULY 6, 1998 NOTE 1597 17 48 SEPTEMBER 11, 1998 NOTE 1597 18 49 SEPTEMBER 22, 1998 NOTE 1599 19 50 OCTOBER 2, 1998 NOTE 1599 20 21 21 22 23 24 24 25 3 MS. THORPE: I know we're 15 minutes
9 TERRENCE REARDON, CHIEF; BERNARD FOSTER, SALVATORE 10 SANTORD, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, 11 JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD. 12 Defendants. 13 Defendants. 14 45 ANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1585 18 49 SEPTEMBER 22, 1998 NOTE 1597 18 49 SEPTEMBER 22, 1998 NOTE 1597 19 and for the Federal Rules of Civil Procedure before Dawn J. Cormier Bourn, a notary public in 19 and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere. 21 Revere City Hall, 281 Broadway, Revere. 22 Massachusetts. 23 APPEARANCES: 24 SONIA FERNANDEZ, PREVIOUSLY SWORN. 25 SONIA FERNANDEZ, PREVIOUSLY SWORN. 26 SONIA FERNANDEZ, PREVIOUSLY SWORN. 27 SONIA FERNANDEZ, PREVIOUSLY SWORN. 28 SONIA FERNANDEZ, PREVIOUSLY SWORN. 29 SONIA FERNANDEZ, PREVIOUSLY SWORN. 20 SONIA FERNANDEZ, PREVIOUSLY SWORN. 21 SONIA FERNANDEZ, PREVIOUSLY SWORN. 22 SONIA FERNANDEZ, PREVIOUSLY SWORN. 23 MS. THORPE: I know we're 15 minutes
10 SANTORD, ROY COLANNINO, FREDERICK ROLAND, THOMAS DOHERTY, JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD. 12 Defendants. 13 Defendants. 14 45 ANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1585 18 49 SEPTEMBER 22, 1998 NOTE 1597 18 49 SEPTEMBER 22, 1998 NOTE 1597 19 50 OCTOBER 2, 1998 NOTE 1599 19 50 OCTOBER 2, 1998 NOTE 1599 20 June 21, 2006, commencing at 9:17 a.m. at the 21 Revere City Hall, 281 Broadway, Revere, 22 Massachusetts. 21 A P P E A R A N C E S: 22 FOR THE PLAINTIFF: 23 DAWNE H. THORNE, ESQ. 3 MS. THORPE: I know we're 15 minutes
FREDERICK ROLAND, THOMAS DOHERTY, JOHN NELSON, JAMES RUSSO, MICHAEL MURPHY, and STEVEN FORD, Defendants. 12 Defendants. 13 CONTINUED DEPOSITION of SONIA FERNANDEZ taken at the request of the defendants pursuant to read for the Commonwealth of Massachusetts, on 20 June 21, 2006, commencing at 9:17 a.m. at the reverse City Hall, 281 Broadway, Revere, Massachusetts. 15 APPEARANCES: DAWNE H. THORNE, ESQ. 16 ANSWERS TO INTERROGATORIES 1531 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1585 18 49 SEPTEMBER 22, 1998 NOTE 1597 OCTOBER 2, 1998 NOTE 1599 OCTOBER 2, 1998 NOTE 1599 1518 1520 MS. THORPE: I know we're 15 minutes
MICHAEL MURPHY, and STEVEN FORD. Defendants. 13 Defendants. 14 45 ANSWERS TO INTERROGATORIES 1531 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1585 18 49 SEPTEMBER 22, 1998 NOTE 1597 18 49 SEPTEMBER 22, 1998 NOTE 1597 19 50 OCTOBER 2, 1998 NOTE 1599 10 OCTOBER 2, 1998 NOTE 1599 11 A P P E A R A N C E S: 11 SONIA FERNANDEZ, PREVIOUSLY SWORN. 22 SONIA FERNANDEZ, PREVIOUSLY SWORN. 23 ANSWERS TO INTERROGATORIES 1531 45 ANSWERS TO INTERROGATORIES 1531 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1599 18 49 SEPTEMBER 22, 1998 NOTE 1599 19 50 OCTOBER 2, 1998 NOTE 1599 20 21 22 23 24 21 A P P E A R A N C E S: 22 5 5 ONIA FERNANDEZ, PREVIOUSLY SWORN. 33 ANSWERS TO INTERROGATORIES 1531 15 36 HANDWRITTEN NOTES 1577 17 48 SEPTEMBER 11, 1998 NOTE 1599 18 49 SEPTEMBER 22, 1998 NOTE 1599 19 50 OCTOBER 2, 1998 NOTE 1599 20 21 22 23 24 21 22 23 24 22 23 24 23 24 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 34 MS. THORPE: I know we're 15 minutes
Defendants. 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1577 17 48 SEPTEMBER 11, 1998 NOTE 1585 Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere. Massachusetts. DAWNE H. THORNE, ESQ. Defendants. 15 46 HANDWRITTEN NOTES 1533 16 47 JULY 6, 1998 NOTE 1585 DESPTEMBER 22, 1998 NOTE 1599 OCTOBER 2, 1998 NOTE 1599 DOCTOBER 3, 1998 NOTE
13 14 15 16 17 18 18 19 19 10 11 18 10 10 11 18 10 18 10 18 19 10 19 10 10 10 11 11 11 12 13 16 17 18 18 19 19 10 10 17 17 18 18 19 18 19 19 10 10 10 10 10 10 10 11 11 11 12 11 12 12 13 16 17 17 18 18 19 19 10 10 10 11 11 12 12 13 14 15 15 15 15 15 15 15 15 15 15 15 15 15
14 CONTINUED DEPOSITION of SONIA FERNANDEZ taken at the request of the defendants pursuant to at the request of the defendants pursuant to Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. 1518 1520 1520 1581 17 48 SEPTEMBER 11, 1998 NOTE 1597 19 50 OCTOBER 2, 1998 NOTE 1599 1599 1500 1518 1520 1520 1520 1520 1520 1520 1531 1520 1532 1542 1552 1553 1554 1555 1555 1557 1557 1559 1550 155
CONTINUED DEPOSITION of SONIA FERNANDEZ taken at the request of the defendants pursuant to Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere. Massachusetts. 1518 A P P E A R A N C E S: Took The PLAINTIFF: DAWNE H. THORNE, ESQ. 18 49 SEPTEMBER 22, 1998 NOTE 1599 OCTOBER 2, 1998 NOTE 1599 OCTOBER 2, 1998 NOTE 1599 20 21 22 32 23 24 25 25 25 25 25 25 25 25 25 25 25 25 25
at the request of the defendants pursuant to Rule 30 of the Federal Rules of Civil Procedure before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. A P P E A R A N C E S: The public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. The public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. The public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. The public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. The public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. The public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. The public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway
before Dawn J. Cormier Bourn, a notary public in and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. 22 23 24 25 25 26 26 27 26 27 27 28 29 29 29 29 29 29 29 29 29 29 29 29 29
and for the Commonwealth of Massachusetts, on June 21, 2006, commencing at 9:17 a.m. at the Revere City Hall, 281 Broadway, Revere, Massachusetts. 22 23 24 25 25 26 2 25 25 26 26 26 26 26 26 26 26 26 26 26 26 26
Revere City Hall, 281 Broadway, Revere, Massachusetts. 22 23 24 1 APPEARANCES: 1518 1520 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 2 FOR THE PLAINTIFF: 3 DAWNE H. THORNE, ESQ. 3 MS. THORPE: I know we're 15 minutes
22 23 24 23 24 24 25 25 26 26 26 26 26 26 26 26 26 26 26 26 26
23 24 1 APPEARANCES: 1518 1520 2 FOR THE PLAINTIFF: 2 3 DAWNE H. THORNE, ESQ. 3 MS. THORPE: I know we're 15 minutes
24 1 APPEARANCES: 1518 1520 2 FOR THE PLAINTIFF: 2 FOR THORNE, ESQ. DAWNE H. THORNE, ESQ. 24 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 2 3 MS. THORPE: I know we're 15 minutes
1 APPEARANCES: 2
2 FOR THE PLAINTIFF: DAWNE H. THORNE, ESQ. 1 SONIA FERNANDEZ, PREVIOUSLY SWORN. 2 3 MS. THORPE: I know we're 15 minutes
TOR THE PLAINTIFF: DAWNE H. THORNE, ESQ. 2 3 MS. THORPE: I know we're 15 minutes
DAWNE H. THORNE, ESQ. 3 MS. THORPE: I know we're 15 minutes
4 GRAYER & DILDAY 4 late, so do you want to go 15 minutes later?
27 School Street 5 Boston, Massachusetts 02108 5 MR. PORR: Okay.
6
6 FOR THE DEFENDANT, CITY OF REVERE; THOMAS 7 FURTHER EXAMINATION BY MR. PORR:
7 AMBROSINO, MAYOR; CITY OF REVERE POLICE 8 O Sound's hook on the record with
DEPARTMENT, TERRENCE REARDON, CHIEF: 9 Ms. Fernandez. Good morning.
WALTER H. PORR, JR., ESQ., and
AND CAPIZZI, ESQ.
O City Hall, 281 Broadway
Revere, Massachusetts 01251 12 A. Tired.
13 Q. naving trouble steeping?
2 <u>FOR THE DEFENDANTS, BERNARD FOSTER, SALVATORE</u> 14 A. Yeah. SANTORO, ROY COLANNINO, FREDERICK ROLAND,
3 THOMAS DOHERTY, JOHN NELSON, JAMES RUSSO,
MICHAEL MURPHY AND STEVEN FORD: 16 A. Yeah.
JOHN K. VIGLIOTTI, ESQ. 17 Q. Take any medication today?
5 REARDON, JOYCE & AKERSON 387 Grove Street 18 A. Nothing.
6 Worcester, Massachusetts 01605 19 Q. All right, Aside from tired, are you
g 20 feeling okay?
9 21 A. Yeah. Yes, sorry. Yes.
n ·
0 1 22 Q. Madam reporter asked me before we
0

	LOTHITCH COOKE COUNTRIES DE L'ANDE CONTRIES DE L'ANDRE CONTRIES DE	CZEF	ATT THE OVOILT ATMICAS CIVIAL A REMINAL AND EX 9/5/1/
	1533		1535
	1 A. Idon't know. Isaw it.	1	A. Officer Malatesta, her notes.
İ	2 Q. 0kay.	2	Q. You've seen Officer Lynn Malatesta's
- 1	A. I wasn't the only one who saw it.	3	notes?
	4 Q. I understand.	4	A. Yes, I have.
5	5 A. I probably wrote it in one of the	5	Q. Where did you see those notes?
i	6 notes that I gave to Attorney Dilday. I'm not	6	A. In my attorney's office.
- 1	7 sure.	7	Q. Mr. Dilday has them?
] 8	MR. PORR: Let me mark that as next in	8	A. I believe so.
9	9 order.	9	Q. When did you last see Officer Lynn
10	(Deposition Exhibit No. 46 marked.)	10	Malatesta's notes in Mr. Dilday's office?
11	Q. Okay. You made reference I only	11	A. Years ago.
12	· · · · · · · · · · · · · · · · · · ·	12	Q. Can you be a little more precise in
13	• ****	13	terms of how many years ago?
14	y contact the second se	14	A. Two or three.
15	document marked as Exhibit 46. Are those the	15	Q. Do you know how Mr. Dilday came about
16	notes that you're referring to?	16	a copy of Officer Lynn Malatesta's notes?
17	84.00, 240.1	17	A. I don't know if she gave me a copy or
18	guess I'm wrong.	18	if she gave Officer James a copy.
19	Q . Okay. Could you look through those	19	Q. Okay. When you say Officer James, you
20		20	mean Terri?
21	chalkboard drawing alleged in Paragraph 96?	21	A. Terri.
22	A. Okay. (Pause in testimony while	22	Q . The only reason I ask for the
23	reviewing document.)	23	distinction is because there's Officer Mark James
24	No, I don't see it.	24	as well.
	1534		1536
1	Q. Are these notes that we're looking at,	1	A. Sorry.
2	Exhibit 46, are they in your handwriting?	2	Q. Had you seen Lynn Malatesta's notes
3	A. Yes.	3	prior to seeing them in Mr. Dilday's office?
4	Q. And it looks like the original was on	4	A. Yes.
5	standard school notebook paper?	5	Q. When did you first see Lynn
6	A. Yes.	6	Malatesta's notes?
7	Q. When did you write these notes?	7	A. I don't remember.
8	A. I used it well, I wrote them when	8	Q. What was the occasion that resulted in
9	they happened.	9	you seeing Lynn Malatesta's notes the first time?
10	Q. So did you keep a notebook where you	10	A. I can tell you the reason she showed
11	started recording notes of events that happened	11	me.
12	concerning the Revere Police Department?	12	Q. Sure.
13	A. You mean like a diary?	13	A. They were when I went and I didn't
14	Q. I guess I was asking, do these notes	14	know what to do with Lieutenant Foster, they told
15	all come from the same notebook?	15	me that they would be a witness for me if I
16	A. I don't know. I don't think so.	16	needed one.
17	Q. Okay. Are these all of your notes?	17	Q. Who is the "they" that you're talking
18	A. Yes, I believe so.	18	about here?
19	Q. All right. So as you sit here now,	19	A. Lynn Malatesta, Julie Malvarosa.
20	there's no reference to the chalkboard drawing	20	Q. Was this at some sort of a meeting the
21	referred to in Paragraph 96 in the complaint in	21	women were having?
22	these notes?	22	A. No, no, just a general conversation we
23	A. I know where I saw it, the date.	23	had at the station.
24	Q. Okay. Where?	24	Q. And Lynn had these notes with her at

1539 1537 correct? 1 the time? 2 A. Yes, yes. 2 Α. No, no. I don't know if she brought And that was roughly September of '95 3 Q. 3 them to work and I read them in the cruiser or if until roughly February of '96? she gave me a copy of them. I don't remember. 4 5 Α. Yes. 5 Q. How many pages of notes did Lynn have? Q. And then you and Lynn and the rest of 6 6 Α. Lynn has a lot of pages. 7 Q. 7 those academy graduates went to work as police More than 10? A. officers for the city as opposed to being cadets Yes. 8 at the academy in February of '96? Q. 9 More than 20? 10 A. Right. Α. Possibly. 10 Q. Assuming then that the notes picked up 11 11 Q. As many as 30? with anything that may have happened once you got A. 12 12 I don't know. here working for the City of Revere in February 13 13 Q. As many as 50? of '96, and you indicated they seemed to go in Á. 14 14 No, I don't think 50. chronological order, do you know the end date for 15 Q. Okay. So somewhere between 20 and 30? 15 A. 16 the notes that you saw? I think so. 16 17 Α. They're probably still going. 17 Q. Handwritten? All right. So your recollection is A. I don't remember. 18 18 that Lynn showed you a copy of her notes at least 19 Q. Because we've got 21 pages of notes 19 once while you were still working for the Revere 20 from Terri Pechner which are typed, and then we 20 Police Department? 21 21 have a few pages of notes from you which are 22 Α. Yes. 22 handwritten. Q. Α. 23 You have since seen the notes in 23 I think she wrote them. I think she 24 Attorney Dilday's office? wrote them. 24 1540 1538 Q. Eight-and-a-half by 11 size paper? 1 A. I did. 1 Have you seen them any other time? 2 Q. Normal size paper? 2 Like your notebook. 3 Α. 3 Α. Q. Like my note pad? 4 Q. When you looked at Lynn's notes at 4 Attorney Dilday's office, were you looking at a 5 A. Yes. document that was consistent with what you had Q. 6 6 Single spaced? 7 seen before? 7 Α. Yes. I would say yes. 8 Α. Q. Sorry. No. Okay. Do you recall the time period 8 9 Q. What was different? 9 that the notes covered? 10 Α Oh, you mean when I saw her notes A. 10 What do you mean? 11 again? Q. The notes, were they in chronological 11 12 Q. Yeah. 12 order? 13 A. Yes. She's very detailed like that. 13 Α. They looked exactly the same. I'm 14 And did they start, for instance, back 14 sorry. 15 Q. That's fine. in September of '95 or February of '96 and go in 15 What I was looking for, had Lynn added chronological order until some end date? 16 16 any additional pages since the last time you had 17 17 Α. Yes. seen them? 18 18 Q. Do you recall the date the notes started? 19 Α. Oh, I don't remember. 19 Because presumably there's a gap in 20 A. No. I don't remember. 20 Q. time between when you first saw them and when you Did they cover anything that occurred 21 Q. 21 22 next saw them? 22 at the academy? 23 Α. Right. 23 Α. I don't know. 24 Q. Do you know what that gap is? A You went to the academy with Lynn;

PECHNER-JAMES/FERNANDEZ vs. CITY OF REVERE, et al.

PEL	CHNER-JAMES/FERNANDEZ vs. CITY OF REVERE,	Ctu	I. VOL. VIII - SUNIA FERNANDEZ 0/21/00
	1541		1543
1	couple years?	1	Q. I want you to tell me the
2	A. Possibly.	2	circumstances surrounding you seeing it.
3	Q. All right. And that's what I'm	3	A. Oh, I was walking out of the guard
4	getting at. You said a moment ago Lynn is	4	room and I was leaving. It was inside the little
5	probably still taking notes.	5	hallway adjacent to the radio room and a door
6	A. Yes.	6	that leads into a long corridor into the roll
7	Q. So I would assume that when you first	7	call room. It was on a big chalkboard.
8	saw the notes they were complete up to that time?	8	Q. How big is the chalkboard?
9	A. Right.	9	A. From here to here.
10	Q. And then a couple years later you saw	10	Q. Okay. So it's a couple feet wide?
	them in Attorney Dilday's office, and what I was	11	A. Yes.
11	wondering is, did you see additional notes you	12	Q. And how tall is it?
12	•	13	A. Maybe from where you are to where I
13	hadn't seen before covering that gap?	14	am.
14	A. No. No. If they were there, I didn't	15	Q. Is it more of a square-shaped
15	read them.	l .	chalkboard?
16	Q. So have you go ahead.	16	A. Yes, yes.
17	A. If I did read them, I don't remember.	17	
18	Q. Okay.	18	1.7
19	A. I'm being honest.	19	A. Right.
20	Q. That's fine.	20	Q. What day was it? Do you know what day
21	And let me back up and just double-	21	it was? Monday, Tuesday, Wednesday?
22	check. Have you seen the notes more than twice?	22	A. No, I don't remember.
23	A. I saw them twice.	23	Q. What time of day?
24	Q. Lynn showed them to you once.	24	A. I don't remember. Maybe I don't
			4-44
	1542		1544
1	1542 Attorney Dilday showed them to you once.	1	know. I don't know.
1 2		1 2	
	Attorney Dilday showed them to you once.	'	know. I don't know. Q. And you were walking from the guard room?
2	Attorney Dilday showed them to you once. A. I don't know if I brought them to him	2	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage.
2 3	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him.	2	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room?
3 4	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand.	2 3 4	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage.
2 3 4 5	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office.	2 3 4 5	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room?
2 3 4 5 6	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her	2 3 4 5 6	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where
2 3 4 5 6 7	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in	2 3 4 5 6 7	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is?
2 3 4 5 6 7 8	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office?	2 3 4 5 6 7 8	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right.
2 3 4 5 6 7 8 9	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection	2 3 4 5 6 7 8 9	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room.
2 3 4 5 6 7 8 9	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this	2 3 4 5 6 7 8 9	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry.
2 3 4 5 6 7 8 9 10 11	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection	2 3 4 5 6 7 8 9	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you
2 3 4 5 6 7 8 9 10 11 12 13	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that	2 3 4 5 6 7 8 9 10 11	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for
2 3 4 5 6 7 8 9 10 11 12 13 14	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes.	2 3 4 5 6 7 8 9 10 11 12 13	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw	2 3 4 5 6 7 8 9 10 11 12 13	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing? A. Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I don't know if I was at roll call or I was working
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing? A. Yes. Q. Tell me the circumstances that led to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I don't know if I was at roll call or I was working an extra shift, if I was doing the morning shift.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing? A. Yes. Q. Tell me the circumstances that led to you seeing the drawing. What was going on?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	know. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I don't know if I was at roll call or I was working an extra shift, if I was doing the morning shift. I don't know what Q. As you walked down the hallway then,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing? A. Yes. Q. Tell me the circumstances that led to you seeing the drawing. What was going on? A. You don't want me to describe it to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Rnow. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I don't know if I was at roll call or I was working an extra shift, if I was doing the morning shift. I don't know what Q. As you walked down the hallway then, you walked past the drawing on the chalkboard?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing? A. Yes. Q. Tell me the circumstances that led to you seeing the drawing. What was going on? A. You don't want me to describe it to you?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Rnow. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I don't know if I was at roll call or I was working an extra shift, if I was doing the morning shift. I don't know what Q. As you walked down the hallway then, you walked past the drawing on the chalkboard? A. I looked at it and I put my head down
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing? A. Yes. Q. Tell me the circumstances that led to you seeing the drawing. What was going on? A. You don't want me to describe it to you? Q. I'm sorry?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Rnow. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I don't know if I was at roll call or I was working an extra shift, if I was doing the morning shift. I don't know what Q. As you walked down the hallway then, you walked past the drawing on the chalkboard? A. I looked at it and I put my head down and kept going.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Attorney Dilday showed them to you once. A. I don't know if I brought them to him or if Terri brought them to him. Q. No, I understand. A. I saw them in his office. Q. Right. So, again, Lynn showed you her notes once, and then next you saw them in Attorney Dilday's office? A. Yes. Q. Okay. And so it's your recollection going back to Paragraph 96 that the date of this incident, July of '98, you may be taking that from Lynn's notes? A. Yes. Q. Okay. Now, you indicated that you saw this drawing? A. Yes. Q. Tell me the circumstances that led to you seeing the drawing. What was going on? A. You don't want me to describe it to you?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Rnow. I don't know. Q. And you were walking from the guard room? A. To go down to the garage. Q. Where is the guard room? A. The guard room is the long where the long corridor is? Q. Right. A. The guard room is the roll call room. Sorry. Q. Okay. Were you at roll call or you just happened to have been in the room for something else? A. I don't know. It's been such a long time. I don't know what I was doing there. I don't know if I was at roll call or I was working an extra shift, if I was doing the morning shift. I don't know what Q. As you walked down the hallway then, you walked past the drawing on the chalkboard? A. I looked at it and I put my head down

1685

6

1 which is sort of buried underneath there, if we

2 back up to Pages -- I'm sorry -- to Paragraphs 53

and 54 involving Sergeant Doherty, do they

likewise describe what we're looking at here in

5 2-0?

9

6 A. Yes.

Okay. No. 3 on the December '98 --Q. 7

8 Exhibit 28; right?

> A. Uh-huh.

O. No. 3 involved the bathroom issue in 10

terms of the physical structure of the old 11

building, the police department. Did you get a

female bathroom separate and apart --13

Yes, we did. 14 A.

Q. And did they also provide locker 15

facilities there? 16

A. Yes. 17

And then No. 4 talks about matron 18 Q.

duties. 19

20 A. Yes.

Q. What about matron duties? 21

Just providing the women with the A. 22

sanitary needs that they needed. 23

Does the Revere Police Department have 24

1686

female matrons?

2 A. No.

1

8

11

17

20

24

So as of December of '98, in the Q. 3

absence of having matrons on staff, who was 4

available to perform the matrons' duties, things

that matrons --6

A. The females. 7

> And these are duties that are Q.

specifically delegated that need to be performed 9

by females given the circumstances; correct? 10

> A. Correct.

So was the complaint here more in the 12

nature of you need to hire some matrons so that 13

we don't have to do those duties? 14

A. Yes, I think so. 15

Q. All right. 16

MR. PORR: Go off the record for a

minute. 18

(Discussion held off the record.) 19

MR. PORR: We just briefly had an

off-the-record discussion of the deposition 21

schedule. 22

Today we were supposed to go 9:00 to 23 noon. As the record will reflect, we got going

McCARTHY REPORTING SERVICE

at about 9:20, and it's now about 12:20, 12:25.

There's no way we can finish four additional

3 hours today, which is what I estimate the court

ordered two-and-a-half days it would take in

terms of completing those two-and-a-half days.

Ms. Thorne has obligations this

afternoon. Mr. Dilday has obligations this 7

afternoon. And so we're going to go ahead and 8

finish up for the day, and we'll reschedule the 9

remaining four hours later. 10

MR. VIGLIOTTI: While we're on the 11

record, there was reference in the record to 12

notes in the possession of Mr. Dilday. I believe 13

these individual defendants in discovery 14

requested any notes or correspondence relating to 15

the facts of this case, which those notes have

not been produced, nor was an objection filed. 17

I am asking for copies of those, if

you can bring it to Mr. Dilday's attention. I 19

just want that on the record in regards to those 20

21 notes.

18

22

4

5

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

MR. PORR: Lynn Malatesta's notes?

MR. VIGLIOTTI: Lynn Malatesta's 23

notes, which it doesn't sound like there's an 24

1687

attorney-client privilege. Testimony was given

here today regarding those notes, so I'd ask you

to relay that message to Mr. Dilday that I am 3

requesting those notes.

MS. THORPE: I will definitely relay

that message. This is the first I've heard of

Ms. Malatesta's notes, so -- .

MR. VIGLIOTTI: Me, too.

MR. PORR: Good enough. Thank you.

(Deposition concluded at 12:25 p.m.)

Page 1685 - Page 1688